Docket No.: C1039.70021US01

A LISTING OF THE CLAIMS

2

A complete listing of claims is presented below.

- 1-41. (Canceled)
- 42. (Previously Presented) A method for treating cancer, comprising: administering to a human subject an effective amount for treating cancer of a CpG immunostimulatory oligonucleotide having at least one numethylated CpG dinucleotide, wherein at least one nucleotide of the stabilized CpG immunostimulatory oligonucleotide has a phosphate backbone modification and wherein the oligonucleotide is 8 to 100 nucleotides in length, wherein the phosphate backbone modification is a phosphorothicate modification.
- (Previously Presented) The method of claim 42, further comprising administering a chemotherapeutic agent.
- (Previously Presented) The method of claim 42, further comprising administering a cancer immunotherapeutic agent.
 - 45. (Previously Presented) The method of claim 42, wherein the cancer is brain cancer.
 - 46. (Previously Presented) The method of claim 42, wherein the cancer is lung cancer.
- (Previously Presented) The method of claim 42, wherein the cancer is ovarian cancer.
 - 48. (Previously Presented) The method of claim 42, wherein the cancer is breast cancer.
- (Previously Presented) The method of claim 42, wherein the cancer is prostate cancer.

Amendment dated August 4, 2008 Reply to Office Action of February 4, 2008

> 50. (Previously Presented) The method of claim 42, wherein the cancer is colon cancer.

3

- 51. (Previously Presented) The method of claim 42, wherein the cancer is leukemia.
- 52 (Previously Presented) The method of claim 42, wherein the cancer is carcinoma.
- 53. (Previously Presented) The method of claim 42, wherein the cancer is sarcoma.
- 54-58. (Canceled)
- 59 (Previously Presented) The method of claim 42, wherein the CpG immunostimulatory oligonucleotide comprises:

wherein X1X2 and X3X4 are nucleotides.

- 60. (Previously Presented) The method of claim 59, wherein X₃X₄ are nucleotides selected from the group consisting of: TpT, and TpC.
- 61. (Previously Presented) The method of claim 59, wherein X1X2 are GnA and X2X4 are TpT.
- 62 (Previously Presented) The method of claim 59, wherein X1X2 are both purines and X₃X₄ are both pyrimidines.
- 63. (Previously Presented) The method of claim 59, wherein X1X2 are GpA and X1X4 are both pyrimidines.
- 64. (Previously Presented) The method of claim 59, wherein the oligonucleotide is 8 to 40 nucleotides in length.

- 65. (Previously Presented) The method of claim 59, wherein 5' $X_1 X_2 CGX_3 X_4 3$ ' is not palindromic.
- (Previously Presented) The method of claim 42, wherein the CpG immunostimulatory oligonucleotide includes at least two CpG motifs.
- (Previously Presented) The method of claim 66, wherein at least one
 of the at least two CpG motifs is not palindromic.
- (Previously Presented) The method of claim 42, wherein the oligonucleotide is administered prior to a chemotherapy.
- (Previously Presented) The method of claim 42, wherein the oligonucleotide is administered subcutaneously.
 - 70. (Canceled).
- 71. (Previously Presented) A method for treating non small cell lung carcinoma (NSCLC) in a human subject, comprising

administering to a human subject having NSCLC an effective amount to treat NSCLC of an immunostimulatory oligonucleotide that includes at least one unmethylated CpG dinucleotide, wherein the immunostimulatory oligonucleotide includes a phosphate backbone modification and, wherein the oligonucleotide is 8 to 100 nucleotides in length, wherein the phosphate backbone modification is a phosphorothioate modification.

72. (Previously Presented) The method of claim 71, further comprising administering a chemotherapeutic agent.

- Amendment dated August 4, 2008 Reply to Office Action of February 4, 2008
- 73. (Previously Presented) The method of claim 71, further comprising administering an immunotherapeutic agent.

5

- 74 (Canceled).
- 75. (Previously Presented) The method of claim 71, wherein the oligonucleotide is 8 to 40 nucleotides in length.
- 76. (Previously Presented) The method of claim 71, wherein the CpG immunostimulatory oligonucleotide includes at least two CpG motifs.
- 77. (Previously Presented) The method of claim 76, wherein at least one of the at least two CpG motifs is not palindromic.
- 78. (Previously Presented) The method of claim 71, wherein the oligonucleotide is administered subcutaneously.
- 79 (Previously Presented) The method of claim 71, further comprising administering an antigen.
- 80. (Previously Presented) The method of claim 42, further comprising administering an antigen.